

AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance No. 6222		Date: December 29, 2008
Department: Public Works	Attachments: Ordinance No. 6222	Budget Impact: \$ 0
Administrative Recommendation: City Council introduce and adopt Ordinance No 6222.		
Background Summary: Chapter 10.36 of Auburn City Code establishes limitations on parking for some larger vehicles and trailers on City streets. Currently the weight of larger vehicles and unattached trailers exceeds the safe capacity of the shoulder of several City streets. As a result of those larger vehicles and unattached trailers being parked on inadequate surfaces, City rights-of-way are being damaged; while parking larger vehicles and trailers on some City streets interferes with sight distances and clearance, resulting in increased risk of vehicle collision. As a result, City staff recommends restricting parking to those areas that can safely bear the weight of larger vehicles and provide adequate clearance. City staff also recommends prohibiting the parking of unattached trailers. Ordinance No. 6222 updates City Code to further clarify where commercial vehicles may park legally and to prevent the parking of unattached trailers. City staff recommends these changes to the City's code in order to protect the City's roadways, provide for clearer guidance to citizens and to allow for more effective enforcement. W0105-4 O1.2		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____ <div style="text-align: right;">Call for Public Hearing ____/____/____</div>		
Councilmember: Wagner		Staff: Dowdy
Meeting Date: January 5, 2009		Item Number: VIII.A.1

ORDINANCE NO. 6 2 2 2

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
CHAPTER 10.36 OF THE AUBURN CITY CODE
RELATING TO PARKING OF COMMERCIAL AND
RECREATIONAL VEHICLES AND TRAILERS

WHEREAS, Chapter 10.36 establishes limitations on parking for some larger vehicles and trailers on City streets; and

WHEREAS, the weight of larger vehicles and unattached trailers exceeds the safe capacity of the shoulder of several City streets. As a result of those larger vehicles and unattached trailers being parked on inadequate surfaces in City rights-of-way are being severely damaged; and

WHEREAS, parking larger vehicles and trailers on some City streets interferes with sight distances, resulting in increased risk of vehicle collision; and

WHEREAS, until improvements are made to the shoulders of City streets that would allow larger vehicles and trailers to park there without causing damage, City staff recommends restricting parking to those areas that can safely bear the weight of larger vehicles, and prohibiting the parking of unattached trailers.

WHEREAS, upon review of the current regulations, City staff recommends these changes to the City's code in order to protect the City's roadways, provide for clearer guidance to citizens and to allow for more effective enforcement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. That Section 10.36.020 of the Auburn City Code is amended

to read as follows:

10.36.020 Definitions.

A. The definition of words and phrases contained in RCW 46.04.010 through 46.04.700, except 46.04.150 and 46.04.355, adopted by reference in Chapter 10.04 ACC, shall, for the purpose of this chapter, have the same meanings ascribed to the words and phrases therein.

B. The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, unless where used the context thereof clearly indicates to the contrary:

1. "Bicycle lane" means the portion of the travel way for the movement of bicycles.

2. "Commercial loading zone" means a designated portion of the street along the curb reserved for use in loading and unloading commodities, merchandise, produce, freight or animals by commercial vehicles only.

3. "Individual parking space" means a portion of the paved section of the street, of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked, as shall be specified and marked off by the street division of the city.

4. "Median lane" means a speed change lane within the median to accommodate left turning vehicles.

5. "Nonmetered parking zones" means portions of streets described and established by the city council as zones within which the parking of vehicles shall be controlled, regulated and inspected by the parking enforcement personnel of the city.

6. "Parking" means the standing of a vehicle upon a street, whether such vehicle is occupied or not, and whether such vehicle is accompanied or not, by an operator, for a period of time in excess of two minutes.

7. "Passenger loading zone" means a designated portion of the street along the curb reserved for use in loading and unloading passengers by passenger vehicles only.

8. "Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or recreational travel use that (1) has its own motive power, or (2) is mounted on, or (3) is towed by another vehicle, whether attached or unattached to a towing vehicle.

9. "Residential neighborhood" shall means an area where the majority of property in the vicinity is used for residential purposes and/or is zoned for residential uses in the city.

10. "Street" means and includes streets, avenues, ways, boulevards, drives, highways and all places, except alleys, open to the public for the use of vehicles.

11. "Traffic lane" means the portion of the traveled way for the movement of a single line of vehicles.

14012. "Traveled way" means the portion of roadway for the movement of vehicles, exclusive of shoulder. (Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.010.)

Section 2. That section 10.36.190 of the Auburn City Code is amended

to read as follows:

10.36.190 Commercial Vehicles on residential or nonarterial streets.

A. Except as provided for in this Section, no person may park any commercial vehicle, or combination of vehicles, that is more than 80 inches in width or more than 30 feet in total length, or any commercial vehicle larger than a one-ton pick-up on any street, alley or public right-of-way in any residential neighborhood in the city; provided, that it shall be a defense to a violation of this section that the vehicle was parked directly adjacent to and on the same side of the street as property on which a commercial business, other than a properly permitted home occupation, is located. For the purposes hereof, a combination of vehicles shall include any vehicles attached or connected to each other such that movement of one would result in movement of the other.

B. Commercial vehicle parking is permitted at the following locations:

1. D Street NW both sides, between 44th Street NW and S 277th where practical;

2. 44th Street NW south side, west of D St NW and east of the Union Pacific RR right of way;

3. E. St. NE west side, between 23rd St NE and 26th St NE;

4. Lund Rd. SW east side, W. Main Street to end;

5. Directly adjacent to and on the same side of the street as property on which a commercial business, other than a properly permitted home occupation, is located, provided that the free flow of traffic is unobstructed.

B. No person shall park any vehicle, or combination of vehicles, which is more than 80 inches in width or more than 30 feet in length, or any commercial vehicle larger than a one-ton pick-up on any street, alley or public right-of-way which is a nonarterial street within the city. For the purposes hereof, a nonarterial street shall include any street that is not designated in the transportation element of the city's comprehensive plan as a principal arterial, minor arterial, nonresidential collector, residential collector, or rural collector. For the purposes hereof, a combination of vehicles shall include any vehicles attached or connected to each other such that movement of one would result in movement of the other.

C. Commercial vehicles may stop or park in other safe locations while in the process of actively loading, unloading or providing services to residences or businesses in the immediate vicinity of where the vehicle was parked, provided, provided that the free flow of traffic is unobstructed.

D. It shall be a defense to a violation of this section that during the entire time that the vehicle was parked in the residential neighborhood the operator of the vehicle was actively engaged in making a delivery or providing services to residents in the immediate vicinity of where the vehicle was parked.

~~ED.~~ The penalty for parking in violation of this section shall be a fine of \$250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction, and each instance when an oversized or commercial vehicle parks at a location in violation of this section shall be a separate violation.

~~FE.~~ The provisions of this section do not apply to recreational vehicles as defined regulated by ACC 10.36.191.

~~GF.~~ It is further provided, however, that ~~t~~This section does not permit or authorize anyone to park any oversized or commercial vehicle on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited. (Ord. 6035 § 1, 2006; Ord. 6030 § 1, 2006; Ord. 5943 § 1, 2005; Ord. 5492 § 1, 2001.)

Section 3. That section 10.36.191 of the Auburn City Code is amended to read as follows:

10.36.191 Limitation on Recreational vehicle parking recreational vehicles o

A. No person shall park any recreational vehicle as defined herein or any trailer as defined herein on any street, alley or public right-of-way in any residential neighborhood in the city for more than 24 hours. For the purposes hereof, a "residential neighborhood" shall mean an area where the majority of property in the vicinity is used for residential purposes and/or is zoned for residential uses in the city. For the purposes hereof, "recreational vehicle" means a vehicular type unit primarily designed for recreational camping or recreational travel use that (1) has its own motive power, or (2) is mounted on, or (3) is towed by another vehicle, whether attached or unattached to a towing vehicle. For the purposes hereof, a "trailer" shall mean any vehicular type unit designed to be towed by another vehicle whether attached or unattached to a towing vehicle not subject to ACC 10.36.190.

B. The penalty for parking in violation of this section shall be a fine of ~~\$104~~250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction, and each instance when a recreational vehicle parks at a location in violation of this section shall be a separate violation.

C. It is further provided, however, that ~~t~~This section does not permit or authorize anyone to park any recreational vehicle or trailer on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited. (Ord. 6129 § 1, 2007; Ord. 6035 § 2, 2006.)

Section 4. Chapter 10.36 of the Auburn City Code is amended by adding a new section, 10.36.192 "Trailers" as follows:

10.36.192 Trailers

A. No unattached trailer, semitrailer, or pole trailer shall park within any City right-of-way. Provided, that an unattached trailer, semitrailer, or pole trailer with a gross vehicle weight rating of less than 20,000 pounds may park within any City right-of-way in a residential neighborhood in the City for up to 24 hours.

B. The penalty for parking in violation of this section shall be a fine of \$250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction and each instance when an oversized or commercial vehicle parks at a location in violation of this section shall be a separate violation.

C. This section does not permit or authorize anyone to park any trailer on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited.

Section 5. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 6. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 7. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____


CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

for Steven L. Gross, Asst. City Attorney
Published: _____